

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**PAIGE CARTER, Special
Administrator of the ESTATE OF
KEVEIN C. CARTER, Deceased,**

Plaintiff,

v.

**SCOTT FRAKES, Former Director of
the Nebraska Department of
Correctional Services, in his
individual capacity;
MICHELE WILHELM, Warden of
Nebraska State Penitentiary, in her
individual capacity;
DR. HARBANS DEOL, Former
Medical Director for Nebraska
Health Services, in his individual
capacity;
SHELBY BARRAGAN-LOPEZ, in her
individual capacity;
MICHAEL MCCANN, in his
individual capacity;
CHARICE TALLEY, in her individual
capacity;
JEFFERY REED, in his individual
capacity;
DOUGLAS HEMINGER, in his
individual capacity;
MATT HECKMAN, in his individual
capacity;
FRANKLIN HOWARD, in his
individual capacity;
KIM MCGILL, in her individual
capacity;
and
JOHN/JANE DOES 1-6, all employees
of Nebraska State Penitentiary, in
their individual capacities,**

Defendants.

Case No: 8:23-cv-485

**DEFENDANTS'
UNOPPOSED MOTION TO
EXTEND DEADLINE TO
FILE DEFENDANTS' REPLY
BRIEF IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS**

COME NOW the Defendants Scott Frakes, Michelle Wilhelm and Harbans Deol, by and through the undersigned counsel, and hereby requests that the deadline to file a Reply Brief in response to Defendants' Motion to Dismiss in this matter, currently due on April 8, 2024, be continued for two days until April 10, 2024. In support of said Motion, Defendants state that this short extension is to accommodate Defense Counsel's schedule and Plaintiff's Counsel has agreed to Defendants' request for a two-day extension.

WHEREFORE, the Defendants pray the Court grant an extension of Defendants' deadline to respond to Defendants' Motion to Dismiss for two days, making Defendants' Reply Brief due on April 10, 2024, and for such other and further relief as the Court deems just and equitable.

Dated this 4th day of April 2024.

**MICHELE WILHELM, SCOTT FRAKES,
and DR. HARBANS DEOL, each in his or
her individual capacity, Defendants.**

BY: MICHAEL T. HILGERS, #24483
Nebraska Attorney General

BY: /s/ Joseph Messineo
Joseph Messineo, #21981
Erik W. Fern, #23733
Assistant Attorneys General

OFFICE OF THE ATTORNEY GENERAL
2115 State Capitol
Lincoln, NE 68509-8920
Tel: (402) 471-2683
joe.messineo@nebraska.gov

Attorneys for Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2024, I electronically filed the foregoing document with the Clerk of the United States District Court for the District of Nebraska, causing notice of such filing to be served upon all parties registered on the CM/ECF system.

BY: /s/ Joseph Messineo
Joseph Messineo